

SECOND REGULAR SESSION
SENATE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1509
93RD GENERAL ASSEMBLY

Reported from the Committee on Economic Development, Tourism and Local Government, April 12, 2006, with recommendation that the Senate Committee Substitute do pass and be placed on the Consent Calendar.

4636S.02C

TERRY L. SPIELER, Secretary.

AN ACT

To repeal section 320.202, RSMo, and to enact in lieu thereof one new section relating to the division of fire safety.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 320.202, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 320.202, to read as follows:

320.202. 1. There is hereby established within the department of public safety a "Division of Fire Safety", which shall have as its chief executive officer the fire marshal appointed under section 320.205. The fire marshal and the division shall be responsible for:

(1) The **voluntary** training of firefighters, investigators, **inspectors**, and [any state] **public or private** employees [performing fire inspections pursuant to state statutes or state licensing requirements] **or volunteers in the field of emergency response, rescue, fire prevention or preparedness;**

(2) Establishing and maintaining a statewide reporting system, which shall, as a minimum, include the records required by section 320.235 and a record of all fires occurring in Missouri showing:

(a) The name of all owners of personal and real property affected by the fire;

(b) The name of each occupant of each building in which a fire occurred;

(c) The total amount of insurance carried by, the total amount of insurance collected by, and the total amount of loss to each owner of property affected by the fire; and

(d) All the facts, statistics and circumstances, including, but not limited

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

19 to, the origin of the fire, which are or may be determined by any investigation
20 conducted by the division or any local firefighting agency under the laws of this
21 state.

22 All records maintained under this subdivision shall be open to public inspections
23 during all normal business hours of the division;

24 (3) Conducting all investigations of fires mandated by sections 320.200 to
25 320.270;

26 (4) Conducting all fire inspections required of any private premises in
27 order for any license relating to such private premises to be issued under any
28 licensing law of this state, except those organizations and institutions licensed
29 pursuant to chapters 197 and 198, RSMo;

30 **(5) Establishing and maintaining a voluntary training and**
31 **certification program based upon nationally recognized standards. A**
32 **certification testing fee and recertification fee shall be established by**
33 **promulgated rules and regulations by the state fire marshal under the**
34 **provisions of section 536.024, RSMo. Fees collected shall be deposited**
35 **into the general revenue fund.**

36 2. The state fire marshal shall exercise and perform all powers and duties
37 necessary to carry out the responsibilities imposed by subsection 1 of this section,
38 including, but not limited to, the power to contract with any person, firm,
39 corporation, state agency, or political subdivision for services necessary to
40 accomplish any of the responsibilities imposed by subsection 1 of this section.

41 **3. The state fire marshal shall have the authority to promulgate**
42 **rules and regulations under the provisions of section 536.024, RSMo, to**
43 **carry out the provisions of this section.**

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